



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,979	11/24/2003	Paul A. Weber	KCX-663 (18809)	3395
22827	7590	10/04/2005	EXAMINER	
DORITY & MANNING, P.A. POST OFFICE BOX 1449 GREENVILLE, SC 29602-1449			KIM, SANG K	
			ART UNIT	PAPER NUMBER
			3654	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/720,979	WEBER ET AL.
	Examiner	Art Unit
	SANG KIM	3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 September 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) 1-44 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 45-59 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 24 November 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5-12-04, 10-21-04, 1-10-05

- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Election/Restrictions

Claims 1-44 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 9/6/05.

Applicant's election without traverse of Group III in the reply filed on 9/6/05 is acknowledged.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, a "braking device" and a "stepper motor" or a "servo motor" as recited in claims 50 and 51 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 45-49, 52-53 and 58-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 08325645, in view of Coenen et al., U.S. Patent No. 6562167 B2.

With respect to claims 45-48, 52-53 and 58-59, JP '645 shows unwinding a strip material 1 using an unwind device with a festoon L. The festoon L has a plurality of rotatable guide rolls 2, which accumulates a determined length of the strip to sustain temporary stoppages during the unwinding process. Each guide roll 2 has a motor 12 to actively decelerate or accelerate independent of each other with respect to the strip, see figure 1.

JP '645 does not show the strip being fed into a process for forming absorbent articles.

Coenen '167 shows unwinding a strip material 104 being fed into a process for forming absorbent articles 114, see figure 1.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the process for controlling the material using the accumulator with a process for forming absorbent articles as taught by Coenen '167, to provide methods for making absorbent garments without having to temporary shut down the apparatus.

With respect to claim 49, as stated above, JP '645 shows a positional detector 7, a motor 5, a velocity controller 6, and a compensator 8, communicating with a compensating computing element 16 along with velocity controllers 13 to monitor and actively accelerate or decelerate the guide rolls 2 rotated by the motor 12.

With respect to claim 55, as stated above, JP '645 shows the festoon L having a carriage 3. The carriage 3 being movable towards the second set of guide rolls (i.e., a bottom set of rolls 2), see figure 1.

Claims 50-51, 54, and 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 08325645, in view of Butler, Jr. et al., U.S. Patent No. 3822838.

With respect to claims 50-51, as stated above, JP '645 shows a motor, but does not explicitly explain what type of motor or braking device is used in the apparatus.

Butler '838 shows a stepper motor 32, 12 with a disc brake device 72, see figure 1.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select a stepper motor with a braking device accordingly to the

invention as taught by Butler '838, to provide a proper controlling of the roll speed using a braking device and a motor.

With respect to claim 54, as stated above, JP '645 does not explicitly show the strip from the first roll spliced to a second roll of material.

Butler '838 shows two rolls with a splicing station 14, see figure 1.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus by adding a splicing feature with two rolls as taught by Butler '838, to provide a continuous unwinding of the material without having any stoppage.

With respect to claims 56-57, as stated above, JP '645 does not explicitly explain a rate of material being dispensed from the roll or a stoppage time for the material within the festoon.

Butler '838 recognizes the material dispensing at high speeds, such as 1500 feet per minute. Furthermore, Butler '838 recognizes when the running roll is almost depleted, a commence splice signal relay can take for a selected time interval which the attenuator can take as must as 30-60 seconds, as described in column 8, lines 58-68, and column 9, lines 1-25.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to select the claimed dispensing rate and a stoppage time accordingly to the invention as taught by Butler '838, to provide a continuous unwinding of the material without any stoppage.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANG KIM whose telephone number is 571-272-6947. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:30 P.M. alternating Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki, can be reached on (571) 272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SK

9/20/05



KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600